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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

All of the parties hereto, and for good cause described in this stipulation, and in accord with Local Rule 6-1 and Local Rule 26-4, the parties hereby request this Honorable Court to adopt and approve this stipulated extension to the discovery plan, and continue the discovery deadlines for 30-days as requested herein.

## I. LOCAL RULE 6-1 IS SATISFIED

This is the second request for extension of discovery deadlines filed by the parties. Pursuant to the Stipulation and Order to Extend Discovery (First Request) from September 12, 2020, the following dates govern for purposes of discovery:

1. Discovery Cutoff Date: January 29, 2021
2. Expert Designations: November 30, 2020

3. Rebuttal Expert Designations: December 30, 2020

4. Dispositive Motions: March 1, 2021

5. Joint Pre-Trial Order: March 31, 2021

4 Due to Covid-19, there have been delays in obtaining Plaintiff's medical records  
5 and conducting additional discovery such as depositions and an Independent Medical  
6 Examination. Defendant has noticed an Independent Medical Examination of the  
7 Plaintiff for November 2, 2020. However, Defendant's medical expert has reported  
8 that he needs a minimum of 45-days after the examination to complete his initial expert  
9 report. Accordingly, the parties are requesting a 30-day extension to all discovery  
10 deadlines.

11 The instant request comports with Local Rule 6-1, in that no request is being  
12 made after the expiration of the specified period.

**I. LOCAL RULE 26-4 IS SATISFIED**

14 The instant request to extend discovery deadlines satisfies the requisites of Local  
15 Rule 26-4. Additionally, good cause exists for the extension. Due to Covid-19, there  
16 have been delays in obtaining Plaintiff's medical records and conducting additional  
17 discovery such as depositions and an Independent Medical Examination. Defendant  
18 has noticed an Independent Medical Examination of the Plaintiff for November 2,  
19 2020. However, Defendant's medical expert has reported that he needs a minimum of  
20 45-days after the examination to complete his initial expert report. Accordingly, the  
21 parties are requesting a 30-day extension to all discovery deadlines.

22 Listed below is a statement specifying the discovery completed in this case:

23 Plaintiff's Rule 26 Initial Disclosures April 21, 2020

24 | Defendant James River Insurance  
25 | Company's Initial Disclosure of Witnesses  
25 | And Documents Pursuant to FRCP 26(a)(1) April 23, 2020

26 || Plaintiff's First Set of Discovery Requests May 18, 2020

27 | Defendant James River Insurance Company's July 7, 2020  
28 | Responses to Plaintiff's First Set of Requests  
For Admission

1	Defendant James River Insurance Company's Responses to Plaintiff's First Set of Requests For Production	July 7, 202
3	Defendant James River Insurance Company's Responses to Plaintiff's First Set of Interrogatories	July 7, 202
5	Defendant James River Insurance Company's First Set of Requests for Admission to Plaintiff Darnisha Johnson	August 18, 2020
7	Defendant James River Insurance Company's First Set of Requests for Production to Plaintiff Darnisha Johnson	August 18, 2020
9	Defendant James River Insurance Company's First Set of Interrogatories to Plaintiff Darnisha Johnson	August 18, 2020
11	Plaintiff's Responses to Defendant's First Set Of Requests For Admissions, Interrogatories, And Requests for Production of Documents	October 1, 2020
13	Plaintiff's Designation of Expert Witnesses And Documents	October 1, 2020

15 Due to Covid-19, there have been delays in obtaining Plaintiff's medical records  
16 and conducting additional discovery such as depositions and an Independent Medical  
17 Examination. Defendant has noticed an Independent Medical Examination of the  
18 Plaintiff for November 2, 2020. However, Defendant's medical expert has reported  
19 that he needs a minimum of 45-days after the examination to complete his initial expert  
20 report.

Finally, under Local Rule 26(4), it is necessary to articulate a proposed schedule for completing all remaining discovery. The parties are requesting an additional 30-days be afforded for discovery.

24 The following deadlines are requested.

25	1. Discovery Cutoff Date:	March 1, 2021
26	2. Expert Designations:	January 4, 2021
27	3. Rebuttal Expert Designations:	February 3, 2021
28	4. Dispositive Motions:	March 31, 2021

1 5. Joint Pre-Trial Order:

April 30, 2021

2 The parties hereby stipulate to the proposed changes in the discovery deadlines.

3 Dated this 8<sup>th</sup> day of October, 2020

Dated this 8<sup>th</sup> day of October, 2020

4 LOWE LAW GROUP

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5 O'MEARA, LLP

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12 James River Insurance Company

13 **ORDER**

14 **IT IS SO ORDERED:**

15   
16 ELAYNA J. YOUCAH  
17 UNITED STATES MAGISTRATE JUDGE

18 Dated: Oct. 8, 2020

20 The **STIPULATION AND ORDER TO EXTEND DISCOVERY (SECOND**

21 **REQUEST)** in 2:20-cv-00399-JCM-EJY was submitted by:

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